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**Birch, Stewart, Kolasch & Birch, LLP**

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# Fax

To:	<b>USPTO</b>	From:	<b>MARK J. NUELL No.:36,623</b>
Fax:	(571) 273-8300	Pages:	9 ( <u>including cover sheet</u> )
Application No(s):	10/564,367	Our Ref(s):	1261-0162PUS1
Subject:	Request for a Corrected Official Filing Receipt		

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PATENT  
1261-0162PUS1

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant(s): OSADA, Hiroyuki et al. Conf.: 9208  
Appl. No.: 10/564,367 Group: Unknown  
Filed: March 23, 2006 Examiner: Unknown  
For: THERAPEUTIC AGENT FOR HYPERCALCEMIA AND  
BONE DISEASE

REQUEST FOR A CORRECTED OFFICIAL FILING RECEIPT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

OCT - 4 2006

Sir:

Attached hereto is the Official Filing Receipt in connection  
with the above-identified application.

THE FOLLOWING CORRECTION(S) IS/ARE RESPECTFULLY REQUESTED:

APPLICANTS 6<sup>TH</sup> & 7<sup>TH</sup>—

Change from: "JE-TAE WOO, AICHI, JAPAN"

To: --JE-TAE WOO, KASUGAI-SHI, AICHI, JAPAN--

Change from: "KAZUO NAGAI, KASUGAI-SHI, JAPAN--

To: --KAZUO NAGAI, KASUGAI-SHI, AICHI, JAPAN--

TITLE—

Change from: "THERAPEUTIC AGENT FOR HYPERPOTASSEMIA  
AND BONE DISEASE"

TO: --THERAPEUTIC AGENT FOR HYPERCALCEMIA  
AND BONE DISEASE--

Appl. No. 10/564,367

It is respectfully requested that the U.S. Patent and Trademark Office forward/issue a new Filing Receipt with the correction(s) indicated above. Support for the correction(s) is readily apparent on the enclosed photocopy of the Declaration and Power of Attorney document.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By Mark J. Nuell  
Mark J. Nuell, #36,623

DRN/ang  
1261-0162PUS1

P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000

Attachment(s)



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
BUREAU OF THE CENSUS  
1940 CENSUS OF POPULATION  
CENSUS TAKEN IN APRIL, 1940

105-100	FILING OR 371 IGO DATE	ART UNIT	FILED BY	STAT DOCKS NO	PATWINGS	PCT CLAIMS AND CLMS
105-1367	03/23/2006	1614	160	100		

**BIRCH STEWART KOLASCH & BIRCH  
PO BOX 747  
FALLS CHURCH, VA 22040-0747**

CONFIRMATION NO. 9208  
FILING RECEIPT  
APR 10 1997  
C-100000018005065

Printed/Mailed: 05/09/2006

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to quote the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. Please provide a copy of this Filing Receipt with any changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please make any indicated corrections to this Filing Receipt with your reply to the Notice. After the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections if appropriate.

**Applicant(s)**

Hiroyuki Osada, Wako-Shi, JAPAN  
Kiyotaka Machida, Wako-Shi, JAPAN  
Takeshi Shimizu, Wako-Shi, JAPAN  
Tadashi Nakata, Wako-Shi, JAPAN  
Toshihisa Shinkai, Saitama, JAPAN  
Ja-Tae Woo, Aichi, JAPAN  
Kazuo Nagai, Kasugai-Shi, JAPAN

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B-SKE-CLP

## **Assignment For Published Patent Application**

RIKEN, Wako-Shi, JAPAN

**Power of Attorney:** The patent practitioners associated with Cognisant have been granted power of attorney by their respective clients.

Domestic Priority data as claimed.

This application is a 371 of PCT application No. PCT/US03/03333.

EVERYTHING-13

#### **Acceptable Requirements for New Projects**

JAZZ-N 2003-197229 07/15/2003

**I Required Foreign Funds (Indicate)**

The country code and number of your priority application to be used for filing abroad under the Paris Convention, is US10/564,367

**BEST AVAILABLE COPY**

~~Rejected Publication Date: 08/03/2006~~ Non-Publication Request: No Early Publication Request: No Title Description of the Invention Preliminary Class:

S14

## PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only to the territory of the United States and have no effect in a foreign country, an inventor who wishes to obtain protection in a foreign country must apply for a patent in that specific country or in regional patent offices. Additionally, inventors who consider the filing of an international application under the Patent Cooperation Treaty (PCT) an international PCT application generally has the same effect as a regular national patent application in each PCT member country. The PCT process simplifies the filing of patent applications on the same invention in multiple countries, but does not result in a grant of "an" international patent, and does not eliminate the need for applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law. Thus, before deciding to patent in a particular country, one must make an inquiry in various respects from the patent law of the United States. Applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not compromised.

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Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on the rules and guidelines for filing foreign patent applications. The guide is available either by contacting the USPTO's Contact Center at 708-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/more.htm>.

For information on preventing theft of your intellectual property (patents, trademarks, and copyrights), you may wish to consult the U.S. Government website, <http://www.stopthieves.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving inventors guidance on how to protect intellectual property in specific countries such as China, Korea, and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-800-287-4458.

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FAX REC'D BY  
Attorney Docket No. \_\_\_\_\_

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Telephone: (703) 205-8000 • Facsimile: (703) 205-8050

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**COMBINED DECLARATION AND POWER OF ATTORNEY  
FOR PATENT AND DESIGN APPLICATIONS**

As a below named inventor, I hereby declare that: my residence, post office address and citizenship are as stated next to my name, that I verily believe that I am the original, first and sole inventor (if only one inventor is named below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**THERAPEUTIC AGENT FOR HYPERCALCEMIA AND BONE DISEASE**

Insert Title.

Fill in Appropriate

Information -  
For Use Without  
Specification  
Attached:

the specification of which is attached hereto. If not attached hereto, the application is identified by the attorney docket number as set forth above and/or the following:

The specification was filed on \_\_\_\_\_  
United States Application Number \_\_\_\_\_ as  
and amended on \_\_\_\_\_  
the specification was filed on July 15, 2004 (if applicable) and/or  
International Application Number PCT/JP2004/010125 as PCT  
and was  
amended on \_\_\_\_\_ (if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I do not know and do not believe the same was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representative or assigns more than twelve months (six months for designs) prior to this application, and that no application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States of America prior to this application by me or my legal representatives or assigns, except as follows.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

**Prior Foreign Application(s)**

Insert Priority Information (if appropriate)	Priority Claimed
2003-197229	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
(Number)	(Country)                          (Month/Day/Year Filed)
	Japan                          July/15/2003
	<input type="checkbox"/> Yes <input type="checkbox"/> No
	<input type="checkbox"/> Yes <input type="checkbox"/> No
	<input type="checkbox"/> Yes <input type="checkbox"/> No

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional applications(s) listed below.

Insert Provisional Application(s): (if any)	(Application Number)	(Filing Date)
	(Application Number)	(Filing Date)

All Foreign Applications, if any, for any Patent or Inventor's Certificate Filed More than 12 Months (6 Months for Designs) Prior to the Filing Date of This Application:

Insert Requested Information (if appropriate)	Application Number	Date of Filing (Month/Day/Year)

I hereby claim the benefit under Title 35, United States Code, §120 of any United States and/or PCT application(s), including for continuation-in-part application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States and/or PCT application in the manner provided by the first paragraph of Title 35, United States Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

Insert Prior U.S. Application(s): (if any)	(Application Number)	(Filing Date)	(Status - patented, pending, abandoned)
	(Application Number)	(Filing Date)	(Status - patented, pending, abandoned)

Page 1 of 3  
(Rev. 05/2004)

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Attorney Docket No. \_\_\_\_\_

I hereby appoint the practitioners at CUSTOMER NO. 02292 as my attorneys or agents to prosecute this application and/or an international application based on this application and to transact all business in the United States Patent and Trademark Office connected therewith and in connection with the resulting patent based on instructions received from the entity who first sent the application papers to the practitioners, unless the inventor(s) or assignee provides said practitioners with a written notice to the contrary:

Send Correspondence to:

**CUSTOMER NO. 02292 (BIRCH, STEWART, KOLASCH & BIRCH, LLP)**  
 Telephone: (703) 205-8000      Facsimile: (703) 205-8050

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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Full Name of First  
 or Sole Inventor;  
 Inventor's Name  
 Inventor Due Date  
 (Duration of 3 years per  
 Inventor)

Inventor Residence  
 Inventor Citizenship

Inventor Practicing  
 Address

Full Name of Second  
 Inventor, if any;  
 see above

Full Name of Third  
 Inventor, if any;  
 see above

Full Name of Fourth  
 Inventor, if any;  
 see above

Full Name of Fifth  
 Inventor, if any;  
 see above

Full Name of Sixth  
 Inventor, if any;  
 see above

GIVEN NAME/FAMILY NAME Hiroyuki OSADA	INVENTOR'S SIGNATURE <i>H. Osada</i>	DATE January 20, 2006
Residence (City, State & Country) Wako-shi, Saitama, Japan	CITIZENSHIP Japanese	
MAILING ADDRESS (Complete Street Address including City, State & Country) c/o RIKEN, 2-1, Hirosawa, Wako-shi, Saitama 351-0198 Japan		
GIVEN NAME/FAMILY NAME Kiyotaka MACHIDA	INVENTOR'S SIGNATURE <i>K. Machida</i>	DATE January 20, 2006
Residence (City, State & Country) Wako-shi, Saitama, Japan	CITIZENSHIP Japanese	
MAILING ADDRESS (Complete Street Address including City, State & Country) c/o RIKEN, 2-1, Hirosawa, Wako-shi, Saitama 351-0198 Japan		
GIVEN NAME/FAMILY NAME Takeshi SHIMIZU	INVENTOR'S SIGNATURE <i>T. Shimizu</i>	DATE January 24, 2006
Residence (City, State & Country) Wako-shi, Saitama, Japan	CITIZENSHIP Japanese	
MAILING ADDRESS (Complete Street Address including City, State & Country) c/o RIKEN, 2-1, Hirosawa, Wako-shi, Saitama 351-0198 Japan		
GIVEN NAME/FAMILY NAME Tadashi NAKATA	INVENTOR'S SIGNATURE <i>T. Nakata</i>	DATE Feb. 2, 2006
Residence (City, State & Country) Wako-shi, Saitama, Japan	CITIZENSHIP Japanese	
MAILING ADDRESS (Complete Street Address including City, State & Country) c/o RIKEN, 2-1, Hirosawa, Wako-shi, Saitama 351-0198 Japan		
GIVEN NAME/FAMILY NAME Toshimasa SHINKI	INVENTOR'S SIGNATURE <i>T. Shinki</i>	DATE January 31, 2006
Residence (City, State & Country) Saitama, Japan	CITIZENSHIP Japanese	
MAILING ADDRESS (Complete Street Address including City, State & Country) c/o NIHON PHARMACEUTICAL UNIVERSITY, 10281 Komuro, Inamachi, Kita-adachi-gun, Saitama 362-0806 Japan		
GIVEN NAME/FAMILY NAME Je-Tae WOO	INVENTOR'S SIGNATURE <i>J. Woo</i>	DATE Feb. 2, 2006
Residence (City, State & Country) Kasugai-shi, Aichi, Japan	CITIZENSHIP Korean	
MAILING ADDRESS (Complete Street Address including City, State & Country) c/o CHUBU UNIVERSITY EDUCATIONAL FOUNDATION, CHUBU UNIVERSITY, 1200, Matsumoto-cho, Kasugai-shi, Aichi 487-8501 Japan		

Page 2 of 3

(Rev. 05/2004)

\*DATE OF SIGNATURE

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Attorney Docket No. \_\_\_\_\_

I hereby appoint the practitioners at CUSTOMER NO. 02292 as my attorneys or agents to prosecute this application and/or an international application based on this application and to transact all business in the United States Patent and Trademark Office connected therewith and in connection with the resulting patent based on instructions received from the entity who first sent the application papers to the practitioners, unless the inventor(s) or assignee provides said practitioners with a written notice to the contrary:

Send Correspondence to:

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 Telephone: (703) 205-8000 • Facsimile: (703) 205-8050

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PLEASE NOTE:  
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 FOLLOWING:**

Full Name of 7th  
 Inventor  
 Inventor  
 Inventor Date  
 Signature  
 Date of signature

Inventor Name/Name  
 Inventor Citizenship

Inventor Post Office  
 Address

Full Name of 8th Inventor  
 Inventor, if any  
 see above

Full Name of 9th Inventor, if any  
 see above

Full Name of 10th Inventor, if any  
 see above

Full Name of 11th Inventor, if any  
 see above

Full Name of 12th Inventor, if any  
 see above

GIVEN NAME/FAMILY NAME Kazuo NAGAI	INVENTOR'S SIGNATURE	DATE* Feb 25, 2006
Residence (City, State & Country) Kasugai-shi, Aichi, Japan	CITIZENSHIP Japanese	
MAILING ADDRESS (Complete Street Address including City, State & Country) c/o CHUBU UNIVERSITY EDUCATIONAL FOUNDATION, CHUBU UNIVERSITY, 1200, Matsunoto-cho, Kasugai-shi, Aichi 487-8501 Japan		
GIVEN NAME/FAMILY NAME	INVENTOR'S SIGNATURE	DATE*
Residence (City, State & Country)	CITIZENSHIP	
MAILING ADDRESS (Complete Street Address including City, State & Country)		
GIVEN NAME/FAMILY NAME	INVENTOR'S SIGNATURE	DATE*
Residence (City, State & Country)	CITIZENSHIP	
MAILING ADDRESS (Complete Street Address including City, State & Country)		
GIVEN NAME/FAMILY NAME	INVENTOR'S SIGNATURE	DATE*
Residence (City, State & Country)	CITIZENSHIP	
MAILING ADDRESS (Complete Street Address including City, State & Country)		
GIVEN NAME/FAMILY NAME	INVENTOR'S SIGNATURE	DATE*
Residence (City, State & Country)	CITIZENSHIP	
MAILING ADDRESS (Complete Street Address including City, State & Country)		